

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-107-W/S

IN RE: Application of United Utility Companies,
Inc. for Approval of an Adjustment of Rates
and Charges for The Provision of Water
and Sewer Service;

**PETITION OF GREENVILLE
TIMBERLINE SC, LLC
TO INTERVENE**

TO: SOUTH CAROLINA PUBLIC SERVICE COMMISSION

The Petitioner, Greenville Timberline SC, LLC, would respectfully show unto The Public Service Commission of South Carolina as follows:

1. That Petitioner, Greenville Timberline SC, LLC, is a duly organized South Carolina limited liability company located at 7 Washington Park, City of Greenville, Greenville County, South Carolina.

2. Petitioner has developed and sold approximately 500 acres and currently owns 100 acres off of Chinquapin Road, Travelers Rest, South Carolina, Greenville County, South Carolina ("Property").

3. That Petitioner entered into an agreement on or about July 9, 2001 with North Greenville University ("University") and United Utility Companies, Inc. ("United Utility") as evidenced by Exhibit A attached hereto and incorporated herein by reference (the "Agreement").

In this Agreement, Petitioner, along with the University, conveyed to United Utility the wastewater treatment plant in Tigerville, South Carolina. The Agreement set forth the rates which are believed to be the subject of United Utility's request.

4. That Petitioner is informed and believes that it has a business interest in the rate increases charged by United Utility due to the large volume of business Petitioner will provide to United Utility as Petitioner sells its Property.

5. That Petitioner is informed and believes that, due to its ownership of the 100 acre tract of property any rate increase will affect Petitioner and Petitioner's future customers. Therefore, Petitioner should be permitted to intervene in the above-captioned matter as a party defendant in opposing the rate increases sought by United Utility.

6. Pursuant to the Agreement, that Petitioner would show unto The Public Service Commission of South Carolina that Plaintiff agreed to charge a rate based on 225 single-family equivalencies which resulted in a \$29 per single-family equivalency.

7. That Petitioner would show unto the Public Service Commission that approximately two months after the conveyance by the Petitioner and the University to United Utility of the waste water treatment plant, United Utility raised its rates, on or about March 3, 2002, to \$32.26 per single family equivalency.

8. That Petitioner is informed and believes that the Commission must balance competing interests: those of utilities to receive a return on its investment and those of the consumer to receive a quality product for a just and reasonable price. The proposal by United Utility is a "shock" rate to its customers, including the Petitioner.

9. That Petitioner is informed and believes that the requested rate increase does not fall within the Order of March 22, 2002, wherein the Commission found that a return on the base rate of 4.39% was fair and reasonable.

10. That Petitioner is informed and believes that United Utility's request for a rate increase, and particularly any rate increase with regard to operations in Greenville County, violate the intent and spirit of the Agreement between the Petitioner and United Utility.

11. That the proposed rate increase set forth in United Utility's filing of April 21, 2006, is contrary to the Petitioner's Agreement with United Utility and will cause substantial harm to its economic viability.

12. That the Petitioner expressly opposes any modification to the terms and conditions under the Agreement. Moreover, the Petitioner opposes any additional language requiring customers of United Utility to conduct cross-connecting testing and to add a charge for the same.

13. Petitioner also opposes any terms and conditions pertaining to the extension of United Utility's facilities in Greenville County and the deletion of certain provisions pertaining to payments to defray federal taxes arising out of contributions in aid of construction. Petitioners are informed and believe that said proposed changes would work an undue hardship upon the Petitioner and other customers of United Utility and that the Commission is charged with the responsibility of overseeing rates of United Utility which would be fair and reasonable to rate payers such as the Petitioner and that the proposed rate changes by United Utility are neither fair nor reasonable.

WHEREFORE, Petitioner respectfully prays unto The Public Service Commission of South Carolina that it grant unto Petitioner leave to intervene as a party defendant in the above-

captioned matter and to appear at a public hearing in Columbia, South Carolina, on Monday, August 28, 2006, at 10:30 a.m. to testify and introduce evidence in connection with the proposed rate increase of United Utility.

s/ Jacqueline H. Patterson

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Attorney for Greenville Timberline SC, LLC

May 22, 2006

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CERTIFICATE OF SERVICE

This is to certify that service of **Petition of Greenville Timberline SC, LLC to Intervene** was made on appropriate counsel in the above action on this date by causing the same to be deposited in the United States mail with sufficient postage attached thereto, and addressed as follows:

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s/ Nathaniel C. Farmer

Nathaniel C. Farmer

Law Clerk for Jacqueline H. Patterson

May 22, 2006